



W.P(MD)No.7450 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **18.03.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE B.PUGALENDHI**

W.P.(MD)No.7450 of 2018

P.Subramanian

... Petitioner

/Vs./

The Commissioner,
Kovilpatti Municipality,
Kovilpatti-628 501,
Thoothukudi District.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent herein to maintain the status quo sanitary arrangement made in front of the petitioner's house to avoid open defecation and dumping of filth and stench materials in front of the petitioner's house, till the construction of proper concealed drainage facility by the respondent herein.

For Petitioner : No Appearance
For Respondent : Mr.P.Srinivas

ORDER

The petitioner seeking a writ of mandamus to direct the respondent herein to maintain the status quo of sanitary arrangement made in front of the petitioner's



W.P(MD)No. 7450 of 2018

house to avoid open defecation and dumping of filth and stench materials in front of the petitioner's house, till the construction of proper concealed drainage facility by the respondent herein.

2. When this writ petition was taken up for hearing on 12.03.2024, there was no representation for the petitioner. Hence, this matter was directed to be listed under the caption 'for dismissal'. Even today, there is no representation for the petitioner.

3. The learned counsel appearing on behalf of the respondent municipality submits that the petitioner was passing his drainage water in a vacant site located on the other side of the road. Since the same was objected by the respondent herein, the petitioner has filed this writ petition with the aforesaid prayer.

4. This writ petition is pending from the year 2018. Even though there is no representation on behalf of the petitioner, this Court is inclined to dispose of this writ petition based on the materials available on record and the submissions made by the learned counsel for the respondent.



W.P(MD)No.7450 of 2018

5.The grievance of the petitioner is that in a vacant site situated on the other side of the road/opposite to the petitioner's house, the neighbours are dumping waste and stench materials causing open defecation. It is the responsibility of the Municipality to ensure hygiene condition to the citizen of the Municipality. If there is any open defecation in front of the petitioner's house, the respondent Municipality has to take appropriate action to remove the waste materials placed in an open place and ensure clean and hygiene condition in that locality. Similarly, the petitioner is also directed not to drain his sewage water from his house to the open place.

6.This writ petition is disposed of with the above direction. No costs.

18.03.2024

Index : Yes / No

Internet : Yes / No

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To

The Commissioner,
Kovilpatti Municipality,
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W.P(MD)No.7450 of 2018

B.PUGALENDHI,J.

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